

Minutes of Meeting of the Salmon, Inland Fisheries and Environmental Focus Group

Tuesday 14th June 2016 at 7pm

Loughs Agency Headquarters, Prehen

Present

Forum Members

Jim Haughey (Chairperson)
Declan Little
Robbie Marshall
Peter Archdale
Eamon Mullan
Brian Thompson
Peadar MacRory
Enda Craig

Non Attendance

Robert Kevitt
Francis O'Donnell
Ian Gamble
Tony French

In Attendance

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|----------------|---|
| John McCartney | Director of Conservation and Protection |
| Paddy Boylan | Senior Biologist |
| Shane Colgan | FASTA Representative |
| Siobhan Wilson | Minutes |

John McCartney welcomed everyone to the meeting. John introduced Paddy Boylan who presented the Agency's current INTERREG applications to the group. Paddy provided a PowerPoint presentation to the group about the Catchment Care Project on the River Finn and also the Sea Monitor – Telemetry Arrays in the Seas around Ireland and Scotland.

The group thanked Paddy for his presentation and a short question and answer session followed.

1. Apologies

Apologies were noted from:-

Michael Stinson

David Friel

Alec Rolston

Frank McGurk

Breffni Martin

Brendan McSherry

2. Minutes of the Previous Meeting

The minutes were accepted as a true and accurate record on the meeting.

3. Matters Arising

Smolt Farm in Pettigo

John McCartney advised the group that he attended a meeting with Pettigo Anglers and that Donegal County Council issued a revised Discharge Licence in late February 2016. Robbie Marshall requested the items to remain on the Agenda and John to provide an update at future meetings.

Ardmore Hydroelectric Application

John McCartney advised that a Planning Appeals hearing took place on 9th June 2016 but that the applicant failed to turn up therefore a decision has still not been made.

Robbie Marshall advised that he was in attendance at the Planning Appeal and added that the Commissioner unfortunately could not progress the matter as the applicant was not in attendance therefore a decision could not be made. He advised that a report would be sent to the Department at the end of the summer and the Minister would then review and make a decision.

DCAL Licence Changes

John McCartney advised that the new process for DCAL Licences is up and running.

Regulatory Review

John McCartney advised that the Regulatory Review was added to the last set of minutes for everyone's information.

John asked if there were any questions arising from the review and a discussion developed. A question and answer session ensued in relation to some of the regulations with group involvement.

4. Biodiversity Strategy

John McCartney referred to the Biodiversity Strategy which had been emailed to all in advance of the meeting. He added that this document is in draft form and would welcome comments from group members.

A discussion developed relating to the level of content expected to be included in the strategy. Some group members expressed a difference in opinion about the level of content of the strategy and it was advised that the Agency should report on and include what it has regulatory function for.

NIEA in the North and National Parks and Wildlife in the South have responsibility for various areas and species and in some cases the Agency is only able to provide an opinion.

There was a brief discussion on Hogweed and Japanese Knotweed. Paddy Boylan advised the group of a useful website which they should check out in relation to research carried out by Queens University Belfast. <http://www.qub.ac.uk/research-centres/cirb/>

5. Summary of Fish Counts

John McCartney provided a summary of fish counts to the group adding that all counters are currently in operation. A brief discussion took place in relation to counts on the various rivers.

Comparative Fish Counts

| | 2006 <i>April</i> | 2007 <i>April</i> | 2008 <i>April</i> | 2009 <i>April</i> | 2010 <i>April</i> | 2011 <i>April</i> | 2012 <i>April</i> | 2013 <i>April</i> | 2014 <i>April</i> | 2015 <i>April</i> | 2016 <i>April</i> |
|-------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Faughan | 38 | 191 | 258 | -31 | -16 | 47 | -15 | 218 | 621 | 529 | 610 |
| Finn | 357 | 672 | 128 | 155 | 98 | 182 | 82 | 142 | 30 | 106 | -6 |
| Sion Mills | 1126 | 1173 | 109 | 883 | 70 | 394 | 198 | 97 | 317 | 216 | 238 |
| Roe | 346 | 567 | 108 | 36 | -6 | 139 | 377 | -130 | -2 | 210 | 129 |
| Corrick | <i>Not available</i> | <i>Not available</i> | 65 | 3 | 16 | 19 | 0 | 26 | 24 | 58 | 0 |
| Newry | <i>Not available</i> | <i>Not available</i> | 74 | 12 | 87 | 19 | -1 | 52 | 145 | 137 | 633 |
| Omagh | <i>Not available</i> | <i>Not available</i> | 41 | 41 | 38 | -1 | 1 | 168 | 5 | 149 | 445 |

6. NASCO Report

John McCartney advised the group that due to family commitments he was unable to attend this year's NASCO Annual Conference but added that he would try to have a report available for the next meeting.

AP John McCartney to provide a report from NASCO Conference for the next meeting.

7. A5 Road Scheme – Jim Haughey

Jim Haughey advised that a Report and Technical Summary had been done but this had to be withdrawn, and a public appeal is now underway. Jim explained the view of the Ulster Angling Federation in this regard and how they have entered submissions relating to the culverts. John McCartney advised the group that Art Niven and Declan Lawlor had looked at the culverts and that the Agency has issued Article 47's for every stream and ditch. There was a lengthy discussion in relation to the type of boxed culverts and the type of lighting that could be used.

AP Attach designs of culverts to the minutes – See Attachments

8. Waste Water Discharge/Planned Waste Water Treatment Plant at Moville – Enda Craig

Enda Craig advised the group that they all had been forward the letter in relation to the Waste Water Treatment Plant at Moville. He gave a synopsis of the process the residents of Carnagarve have gone through over the last 12 years highlighting that the licence from Donegal County Council is invalid and had to be removed. He added that the commission have reviewed the application and have taken it on board. Enda asked John McCartney why the Loughs Agency did not support the residents in this action.

John McCartney replied by saying that the Loughs Agency is a Government Agency who are required to make a consultee reply. Enda advised that the discharge licence is still off the table due to it being invalid. John added that the Agency is not in a position to take a judicial review or to make a European Union complaint, the Agency can only make comments on the licence as presented. Enda Craig finished by saying that the residents of Carnagarve feel abandoned by the Agency. John McCartney advised Enda to write formally to the Agency with his concerns and the Agency would formally reply to his correspondence.

AP Enda Craig to formally write to the Agency.

9. A.O.B

Glenmore AD – Peter Archdale

Peter Archdale raised the issue of the Glenmore Anaerobic Digester plant in Stranalar and discussed the plans for this plant. John McCartney advised the group that he had written to the EPA in relation to the licence for this digester but as yet has had no response. There was a brief discussion within the group in relation to this issue.

Oysters on Lough Foyle

Brian Thompson reported that he has witnessed dredge boats on Lough Foyle dredging for oysters. Brian questioned why it was going on. John McCartney advised Brian to raise this issue with the Aquaculture &

Shellfisheries Director Mr Barry Fox and confirmed to Brian that in order to remove oysters from the fishery he would have to complete an Article 69 Application and forward for approval.

AP John McCartney to send Brian Thompson an Article 69 Application Form.

Woodland Scheme – Declan Little

The following text and links are supplied by Declan Little and are relevant re the Native Woodland Scheme:

Woodlands of Ireland is closely involved with the Forest Service and others in the development and roll-out of the Forest Service Native Woodland Scheme. For the benefit of native woodlands and associated ecosystems, especially freshwater habitats, we are actively promoting the Scheme in order to ensure that monies available are spent during the current Forestry Programme 2014-2020. It sets out a target of 1,950 hectares for the conservation and restoration management under NWS Conservation, i.e. Element 1 - Conservation of existing woodlands, and 2,700 hectares for the creation of new native woodlands under the NWS Establishment Measure (Element 2). This represents a potential investment of c. €23m up to and including 2020. The Scheme is open to the private - and public sectors (e.g. Coillte, National Parks and Wildlife Service, County Councils, Loughs Agency, ESB and Bord na Mona).

Essentially, private woodland owners can draw down a maximum of €5,000/hectare to have a NWS Management plan drawn up and carry out relevant forest management operations (i.e. removal of invasive species such as rhododendron, laurel, beech and sycamore, enhancement planting of native trees and shrubs, fencing, etc.). Payment of the capital grant is made in two stages, i.e. after capital works in year 1 and upon completion, in year 4. A premium of €120/ha/yr. is paid for 7 years.

In order of priority the following is targeted under NWS Conservation:

- (a) Priority status woodlands/ Annex 1 woodlands/Natura 2000
- (b) Designated woodlands (SAC/NHA/SPA/Nature Reserves) and 'Old woodlands (with features of native woodland - these maybe conifer or mixed stands with a native woodland ground flora and that are present on the 1st OS maps c. 1830)
- (c) Riparian woodlands, especially in high water status/sensitive catchments, and

- (d) Emergent/scrub and undesignated woodland
- (e) Community native woodlands where recreational facilities can be integrated under the NeighbourWood Scheme/NWS linkage.

The NWS Conservation Element can also be used to retrofit buffer zones in riparian areas with native riparian woodlands where currently, conifers are established and there is a requirement for their removal. The target are in this case is high water status water bodies (e.g. salmonid SACs) and Freshwater Pearl Mussel catchments.

Under NWS Establishment landowners may draw down up to €5,750/ha to create new native woodlands. A premium of €635/ha/year is payable for 15 years. A specific target area is riparian zones in high status water bodies where native, protective woodland is established to function as a buffer to adjacent land uses such as intensive farming and commercial conifer plantations. This results in the interception and retention of nutrients and sediments by strategically located protective buffer woodlands. It also can be used to stabilise river bank sections, provide dappled shade and to provide a source of food for in-stream and terrestrial invertebrates.

A separate Environmental Measure in the Forestry Programme targeted at high water status, sensitive catchments, and in particular Freshwater Pearl Mussel catchments, is available to appropriately manage Aquatic Buffer Zones, but also to address other mitigation measures in the conifer plantation such as slowing water flows, relocating silt traps, planting native riparian broadleaves and creating setbacks from drains and streams within the plantation.

Contact your local Forest Service Inspector for further details. Woodlands of Ireland are also happy to help - see our contact details below.

Kind regards

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10. Date and Venue of Next Meeting

To be confirmed.